

Notice of Allowability

Application No.

09/977,725

Examiner

Jude J. Jean-Gilles

Applicant(s)

IKONEN, TEEMU

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/17/2005.
2. ☒ The allowed claim(s) is/are Claims 1, 3, 8-15, and 17-25 now Renumbered 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 09/12/2005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons-for-Allowance
9. ☐ Other _____

WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with SHALOM WERTSBERGER, Reg. No. 43359 on 15 September 2005.

Title

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Instead of the existing title --METHOD FOR REROUTING IP TRANSMISSIONS-- the following title is suggested: --METHOD FOR ASSISTING LOAD BALANCING IN A SERVER CLUSTER BY REROUTING IP TRAFFIC, AND A SERVER CLUSTER AND A CLIENT, OPERATING ACCORDING TO SAME--.

IN THE CLAIMS

Claims 2, 4-7, and 16 had already been cancelled without prejudice or disclaimer.

Claim 13 (now **claim 8**) improperly depends on cancelled **claim 2**, and should depend on **claim 1**. Please amend independent claims 14 and 20 as follows:

14. (Currently Amended) A method for redirecting network traffic comprising the steps of:
receiving a service request in a first member server of a cluster server,
said request having indication of the request sender;

selecting a second member server of the cluster server for servicing the service request; and,
sending to said sender, a redirection indication to said second server, said redirection indication comprising a redirection header having at least one redirection flag.

20. (Currently Amended) A redirecting client adapted for network traffic rerouting, said client comprising:

a first module adapted to send a service request to a first server; and,
a second module to resend the service request to a second server, responsive to receiving a communication packet comprising the service request and a redirection header attached thereto, the redirection header having a service address containing the address of said second server, or an indication thereof;
wherein said first server and said second server belong to a server cluster.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance: the closest prior art of record (McCanne, U.S. Patent No. 6,785,704) does not teach nor suggest in detail a method for rerouting traffic that operates in conjunction with a cluster server to receive a packet in a first server and the packet being addressed to the first server, and containing indication of a source address associated with a client. Furthermore, as outlined in page 7 of applicant's argument dated on 08/17/2005, paragraph 002 to 005 of

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the specification defines a packet that is sent from a client to a first server, and for any reason this server is not the server to handle the packet, the server utilizes a redirection database to provide an address of a server capable of performing the service. The first server returns the SAME PACKET (i.e. a series of bits that contain the same transmitted payload), together with a redirection header. The redirection header contains at least one flag to indicate to the client that the redirection should be made once permanently, or for a limited time. The client is constructed to distinguish such header and to act thereupon. Those distinctions as indicated by the above statements, in light of the claim limitations as well as the enabling portions of the specification, including the difference between them and the prior art, have made Applicant's arguments persuasive.

4. The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claims as well as for the further limitations set forth.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. **Claims 1, 3, 8-15, and 17-25 are allowed. Renumbered 1-18.**

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached between the hours of 9:00 AM to 6:00 PM daily.

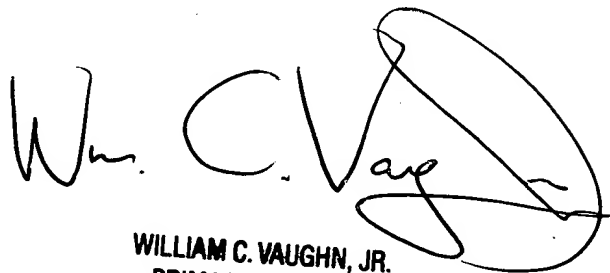
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jude Jean-Gilles

Patent Examiner

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WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER

JJG



September 15, 2005